



**Planning Commission  
Minutes of the December 15, 2016 Regular Meeting**

The meeting was called to order by Planning Commission Vice Chairman Wesson at 5:30 p.m.

**ATTENDEES**

**PLANNING COMMISSION MEMBERS**

**Planning Commission Vice-Chair**

Troy Wesson, CAPZO	Present
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**City Council Member**

John Seifert	Present
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Michael Potter, CAPZO	Present
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Cynthia McCollum, CAPZO	Present (Arrived @ 5:45)
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Steve Ryder, CAPZO	Present
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Cameron Grounds, CAPZO	Absent
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Lewie L. Bates, CAPZO	Present
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Stephen Brooks, CAPZO	Present
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Tim Cowles, CAPZO	Present
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**PLANNING STAFF PRESENT**

Gary Chynoweth P.E., Director of Engineering; Mary Beth Broeren, Director of Planning and Economic Development; Johnny Blizzard, Senior Planner; Ross Ivey, Assistant Planner; Megan Zingarelli, Assistant Attorney

**REGISTERED PUBLIC ATTENDEES**

Todd Gilmore, Mary Gilmore, Davis Buraham, Paul Duskin, Peter Allen, Jane Allen, Terri Johnson, Russ Roberts, Meagan Rile, William Rice, David W. Holt, David Hall, Joey Ceci, Kai Balew, Gerald Clark, Sparky Smith, Tom Dickerson, Jonathan McGee, Ron Roberts, Jason Cassibry

**ACCEPTANCE OF THE AGENDA**

Chairman Wesson accepted the agenda as presented.

**APPROVAL OF THE MINUTES**

Mr. Cowles asked that his name be added to the Registered Public Attendees list for the November 17, 2016 Regular Meeting. Mr. Potter moved to approve the minutes of the November 17, 2016 Regular Meeting. Mr. Ryder seconded the motion.

**Final Vote:**

Chairman, Troy Wesson	Aye
City Council Member Seifert	Abstain
Mike Potter	Aye
Cynthia McCollum	----
Steven Ryder	Aye
Cameron Grounds	-----
Lewie Bates	Aye
Stephen Brooks	Abstain
Tim Cowles	Abstain

**Motion Carried**

**OLD BUSINESS**

There was no Old Business to discuss.

**PUBLIC COMMENTS**

There were no public comments.

**PUBLIC HEARINGS**

**Zoning Map Amendments**

**Atkinson Property Rezoning Request**

Zoning Map Amendment request to rezone 50 approximately acres from AG (Agriculture District) to RC2 (Residential Cluster Zone 2) an amendment to the original request of R3A (Single-Family Detached Residential District) and revised request of R2 (Medium Density Residential District).

Location: Generally southeast of Hardiman Road and west of Ashbury and Oxford Subdivision

Applicant: Phillimond S. Smith

**Applicant Comments:**

There were no comments from the applicant.

**Staff Comments:**

Mr. Blizzard gave the Planning Commission a very detailed timeline of events regarding the rezoning request. He stated that the original submittal for the August 25, 2016 meeting included a request to rezone the entire subject property south of Hardiman Road from AG, Agriculture to R-3A, Single-Family Detached Residential District. The purpose of the request was to subdivide the property into 167 lots. Staff met with the applicant before the August 25<sup>th</sup> meeting and informed them they were recommending a combination of RC1 and R1 zoning for the property. In response, the applicant submitted a new concept plan for 156 lots, but maintained their request for R-3A Zoning. The item was tabled until the October 20, 2016 Planning Commission meeting.

For the October 20, 2016 meeting the applicant amended the original plan and requested the property east of Hardiman Road be rezoned from AG to R2. The West Side Master Plan was adopted at the September Planning Commission meeting and the requested R2 was in conflict with the adopted West

Side Master Plan. The applicant was required to request an amendment to the West Side Master Plan along with their rezoning request.

The proper place type for R2 is Suburban Single Family and that place type currently accounts for 29% of the Master Plan area. Staff met with the applicant prior to the October 20, 2016 Planning Commission meeting and proposed the applicant consider rezoning a portion of the property to R1, which is consistent with the RTA place type. The applicant then submitted a new concept plan for 143 lots bringing the overall density to 2.42 dwelling units per acre, consistent with R-1A Zoning. The applicant also proposed a 30 foot pedestrian easement along the eastern property line, 1.53 acres of common area located in the northeast corner, and a 0.59 acre common area at the southern end of the property. In return, staff recommended to the Planning Commission that the area shown on the West Side Master Plan Vision Map as Parks and Natural Area be preserved as AG zoning (approximately 2.4 acres). That area provided for the trail along the easterly property line not be part of private yards. Staff recommended AG zoning for the 1.63 acre strip. Staff also recommended that the common area at the northeast corner be preserved as AG zoning (approximately 1.57 acres). The recommendation included that the remainder of the site be zoned R-1B, allowing 2.90 dwelling units per acre. The minimum lot size for R-1B is 15,000 square feet with a 100 foot width at the building line. The site would yield 154 residential lots. The Planning Commission recommended approval of the R1-B, with staff recommendations.

Following the October 20, 2016 meeting the applicant met with staff to discuss an alternative to the R1-B zoning recommended by the Planning Commission. The discussion resulted in a desire for RC-2 zoning for the entire property. The new request included 15 acres located on the west side of Hardiman Road. The area is part of the overall property as shown on county tax maps. The majority of this portion of the property would be utilized to achieve the required 20-40% set aside required for RC-2 zoning. The applicant asked that two lots be allowed on the west side of Hardiman Road to be zoned RC-2 and the remainder of the property remain AG. Staff informed the applicant that the modified request must go back to the Planning Commission because additional territory was included in the request causing the 500 foot radius of adjacent property owners required for notification purposes to expand and the nature of the modification was substantially different than what the Planning Commission recommended. The applicant then modified the application to RC-2 and returned to Planning Commission. Section 4-12A-3 (1) (d) in the Zoning Ordinance for RC-2 zoning requires that an environmental analysis be submitted with the rezoning request. The environmental analysis was not complete at the time of the November meeting causing the item be tabled at the November 17, 2016 Planning Commission Meeting.

Mr. Blizzard then discussed the current rezoning request. The request is to rezone approximately 50 acres of the 70.95 acre property from AG to RC-2. Mr. Blizzard discussed the requirements for submittal for RC-2 zoning including a setting aside of open space. The minimum amount required to be set aside as open space is 20% of the total land area and the maximum is 40%. In return for setting aside property for open space, the developer receives density and setback bonuses on the remaining land. A development plan or site plan is also required at the time of submittal. The site plan submitted with this rezoning request indicates that the developer plans to set aside approximately 21 acres for open space, equating to 29% of the total land area. The 21 acres is composed of: 1.54 acres of common area located at the northeast corner of the property (accessible to the public), 1.81 acres located at the southeast corner (accessible to the public), 1.84 acre strip running along the east property line for a greenway trail

(accessible to the public and also in the adopted WSMP), and 15.50 acres of open space located on the northwest side of Hardiman Road (to be dedicated to the City).

The Site Plan submitted with this request proposes 158 lots on the remaining acreage with 156 lots located on the southeast side of Hardiman road and 2 lots on the northwest side. The smallest lot will have an area of 7,878 square feet and the largest lot will be 30,765 square feet. The average lot size is 11,785 square feet. The plan also shows that the project will have a road connection with Greenbrier Hills to the south and will also connect to Ashbury Subdivision.

Mr. Blizzard stated that the plan meets the density requirement for RC-2. The proposed development calls for 3.14 dwelling units per acre and the maximum density allowed in RC-2 is 4.14 units per acre. The proposed plan also conforms with the Zoning Ordinance with the exception of the two lots on the northwest side of Hardiman Road. The design guidelines for RC-2 do not allow lots to face a previously existing street. To address this issue, the two lots can be zoned R2 or be situated so that they do not face Hardiman Road.

Mr. Blizzard discussed the environmental analysis. The Zoning Ordinance specifies the analysis include: a description of the land (topography, soils, wetlands, etc.); a preservation plan for undeveloped residual land, which may include a wetlands management plan; and an erosion/sedimentation control plan. The environmental analysis is completed for the entirety of the property, and it shows that almost all of the property on the northwest side of Hardiman is wetlands. Mr. Blizzard explained that a Wetlands Mitigation Plan is not required in circumstances if the applicant does not plan to fill any of the wetlands and as a result purchase wetland credits in a wetland bank or make a fee in lieu, restore degraded existing wetlands, create new wetlands on site, or enhance existing wetlands. In this specific scenario a Wetlands Management Plan would not be required because the applicant intends that this property be dedicated to the City per their submitted rezoning plat. The City will manage the site as part of its overall stormwater management program. As such, the City does not believe that a wetlands mitigation or management plan is applicable in this instance because the applicant will not have control or responsibility for this area. The applicant did provide an erosion/sedimentation control plan, and the environmental information shows that the remainder of the property is suitable for development.

Mr. Blizzard then explained how the development plan conformed to the West Side Master Plan. He described that the southeastern portion of the development plan would require the Vision Map be amended to reflect Mixed Residential Conservation (MRC). The MRC place type allows for both single-family attached and detached dwellings. It requires that developed areas be clustered to preserve park and natural areas. To qualify for a MRC place type, 15% of the gross site must be dedicated to permanent parks and open space. The proposed zoning of RC-2 has enough characteristics with the MRC place type to be compatible with this place type.

Mr. Blizzard concluded that staff recommends that the Planning Commission acknowledge that this request supersedes any and all previous request made regarding the development of the subject property and recommend approval of the request to rezone the proposed residential area southeast of Hardiman Road from AG to RC-2 and recommend the residential lots on the northwest side of Hardiman Road be rezoned to R2 and forward this request and recommendation on to the City Council. Also, acknowledge that this plan was ongoing before the adoption of the WSMP, and recommend that the West Side Master Plan Vision Map be amended to reflect any rezoning which results from the City Council's consideration and approval of this request.

**Public Comments:**

Terri Johnson, 110 Willena Drive, School Board President asked the Commission to leave the land zoned Agriculture. She stated that the development plan does not go along with Guideline #1 listed in the staff report in that the plan is not in line with the fiscal goals of the City, including schools. She stated the addition of 93 students could lead to the need for 5 portable school buildings. She added that the mediation with Limestone County is still on going, yet she feels good about it. She asked the Planning Commission to keep the land zoned Agriculture until the funding issue is resolved.

Bill Rice, 115 Benoir Trail, expressed concerns with traffic on Hardiman Road and echoed the concerns raised by the School Board. He asked that a letter sent to the Planning Commission earlier in the week from Brenda Buschman and the concerned residents living off of Hardiman Road be added to the minutes. **(Attached)**

David Holt, partner at Bradley Law Firm, stated that he felt the development plan was not a true cluster development and did not satisfy the requirement listed in the Zoning Ordinance. Mr. Holt referenced Section 4-12A-3 of the Zoning Ordinance and the requirement of a Wetlands Mitigation Plan. He asked why no preliminary plat was required with this rezoning and also echoed the concerns of the School Board.

**Commission Comments:**

Mr. Potter asked about the Wetlands Mitigation Plan. Mr. Blizzard answered that the wetlands have been delineated by OMI and that no letter from the Corps of Engineers was necessary because nothing is being done inside of the wetlands. The two residential lots north of Hardiman Road are not within the wetlands. Mary Beth Broeren added that the Wetlands Mitigation is only applicable if the developer planned to build within the wetlands and that it is not applicable in this case because no development would take place inside of the wetlands. Mrs. Broeren also added that the applicant submitted a site plan, which met the requirements of the Zoning Ordinance.

Chairman Wesson asked if the applicant would address the 2 residential lots on northwest side of Hardiman Road. Sparky Smith, the applicant, answered that the existing property owner wanted those two residential lots for himself. Mr. Wesson asked if he planned to develop the greenway along with the plan. Mr. Smith answered yes, he plans to develop the greenway as the plan suggests.

Councilman Seifert asked Mr. Smith his reason for changing his request from R1B to RC-2. Mr. Smith answered the feasibility and economics of the development.

Mr. Potter asked if the R1B would impact the West Side Master Plan worse than the RC-2 zoning. Mary Beth Broeren answered that there are tradeoffs that have pros and cons in both scenarios. R1B has rural characteristics and that staff supports the residential development because the application came in July before the WSMP Vision Map was released to the public. She said that with the RC-2 the city is getting area north of Hardiman Road and that would allow preservation of the existing tree canopy and explained the stormwater benefit. She discussed the lot sizes and concluded the development provided a good mix of lots and diversity which is healthy for the housing market.

Mr. Brooks asked about the lot count with the R1B from the October meeting. Mrs. Broeren answered that plan called for a max of 154 lots, but only had 143 lots due to the infrastructure, streets, etc. that were required. The RC-2 allows a maximum of 158 lots.

Mr. Wesson asked if there was an option to not approve the two residential lots north of Hardiman Road. Mrs. Broeren answered yes, if so desired by the Planning Commission.

Mr. Brooks asked the developer when the first house in the development would be livable. Mr. Smith answered a minimum of a year from now.

Mr. Ryder asked the School Board how close they were to resolving the Limestone County Tax issue. Mrs. Johnson answered that it is impossible to determine a timeline. Mr. Ryder then asked how soon they would be able to build a new school. Mrs. Johnson answered they currently have no money to build a new school. She concluded that her hope in stopping all annexations would be that the developers would rally behind the School Board and put pressure on Limestone County.

Councilman Seifert asked how the \$1.7 million shortfall has affected the current schools' operations. Mrs. Johnson answered they have had to eliminate a couple of teaching positions and have had to cut special programs such as a foreign language program in the elementary school (3<sup>rd</sup> grade).

Mr. Ryder stated that if the city does not have the required residential component, we won't get the desired commercial that everyone wants.

Mr. Potter discussed an email received from Mayor Finley stating that he is against this rezoning and feels the residents want the Planning Commission to listen to the School Board. He read a portion of the letter that stated, "I would like to see this item postponed until after the Limestone County tax issue is resolved."

Mr. Brooks asked if the RC-2 zoning is not approved, would the R-1B from October carry over. Megan Zingarelli answered, No the item no longer exists and dies within 10 days of the Planning Commission meeting.

Mr. Cowles touched on the home values and oversaturated market, but also stated that he is sympathetic to the needs of the city. He added this item deserved an additional look due to the time it was submitted, but that after this item we should not annex or rezone anymore residential.

Mrs. McCollum asked for a legal opinion for the Planning Commission body. Mrs. Zingarelli answered that the Planning Commission is obligated to make a recommendation to the City Council based on the wellbeing of the City in regards to its Master Plans and zoning. Mrs. McCollum then asked if the applicant met all of the Planning Department requirements. Mr. Blizzard answered yes, that staff feels the application is in order.

**Motion:**

Mr. Cowles motioned to recommend approval of the request to rezone the proposed residential area southeast of Hardiman Road from AG to RC-2 and recommend the residential lots on the northwest side of Hardiman Road be rezoned to R2 and forward the request and recommendation to City Council. Mr. Brooks seconded the motion.

**Final Vote:**

Chairman, Troy Wesson	Nay
City Council Member Seifert	Nay
Mike Potter	Nay
Cynthia McCollum	Aye
Steven Ryder	Nay
Cameron Grounds	----
Lewie Bates	Nay
Stephen Brooks	Aye
Tim Cowles	Aye

**Motion Failed****Subdivision Plats****Dublin Acres, Phase 3**

Certified Plat for 2 lots

Location: South of Gillespie Road and east of Hughes Road

Applicant/Owner: D&D Investment Group

**Applicant Comments:**

There were no comments from the applicant.

**Staff Comments:**

Mr. Blizzard informed the Commission that the subject property is located south of Gillespie Road and east of Hughes Road. The applicant is requesting certified plat approval to move the common side yard property line northward 43 feet. The resubdivision will decrease the area of Lot 1 from 2.15 acres to 1.70 acres and increase the area of Lot 2 from 0.97 acres to 1.40 acres. Mr. Blizzard concluded that staff recommends approval of the certified plat because it meets all applicable regulations and the existing dwelling will be moved or demolished before the recording of this plat.

**Public Comments:**

Todd Gilmore, 250 Dublin asked if R-1A allowed for daycares. The Planning Commission answered that it did not and that this was a plat subdividing property, not a rezoning.

**Commission Comments:**

Mr. Wesson asked if there would be a vacation of easement required before any new development. Mr. Blizzard answered yes, it would be required prior to any new development.

**Motion:**

Mr. Brooks motioned to approve Dublin Acres, Phase 3 certified plat. Mr. Cowles seconded the motion.

**Final Vote:**

Chairman, Troy Wesson	Aye
City Council Member Seifert	Aye
Mike Potter	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	-----
Lewie Bates	Aye
Stephen Brooks	Aye
Tim Cowles	Aye

**Motion Carried**

**Greenbrier Woods, Phase V**

Final Plat for 30 lots

Location: South of Powell Road and west of Burgreen Road

Applicant/Owner: Robert E. & Donna O. DeNeefe

**Applicant Comments:**

David Hall, representing 4-site presented the request.

**Staff Comments:**

Mr. Blizzard informed the Commission that the subject property is located south of Powell Road and west of Burgreen Road. The final plat will consist of 30 lots on 11.26 acres, with an average lot size of 12,555 square feet, and the largest lot 14,002 square feet. The proposed subdivision will have 1,547 linear footage of street and complete Autumn Ashe Lane. Staff recommends approval of the final plat, with the minor contingencies listed in the staff report, because it meets all applicable regulations and is in good order.

**Public Comments:**

There were no comments from the public.

**Commission Comments:**

There were no comments from the Commission.

**Motion:**

Mr. Ryder motioned to approve the Final Plat for Greenbrier Woods, Phase V with the following contingencies:

**Planning Department**

1. Sheet 2 Signatures:
  - 1) Athens Utilities
  - 2) North Alabama Gas



3) Limestone County Water & Sewer  
Engineering Department  
1. Performance LOC

Mr. Bates seconded the motion.

Final Vote:

Chairman, Troy Wesson	Aye
City Council Member Seifert	Aye
Mike Potter	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	----
Lewie Bates	Aye
Stephen Brooks	Aye
Tim Cowles	Aye

**Motion Carried**

**Willow Creek Subdivision**

Final Plat for 43 lots, two common areas, and one tract  
Location: South of Browns Ferry Road and east of Balch Road  
Applicant/Owner: Focus Investments, LLC

**Applicant Comments:**

Russ Roberts, Goodwyn, Mills, Cawood presented the request.

**Staff Comments:**

Mr. Blizzard informed the Commission that the location of the project is south of Browns Ferry Road and east of Balch Road. The proposed final plat is the first phase of Willow Creek Subdivision to be considered for final plat approval. The smallest lot will have an area of 14,044 square feet and the average lot size is 17,549 square feet. The subdivision will have 2,222 linear footage of streets. Mr. Blizzard concluded that staff recommends approval of the final plat because it meets all applicable regulations and is in good order.

**Public Comments:**

There were no comments from the public.

**Commission Comments:**

There were no comments from the Commission.

**Motion:**

Mr. Bates motioned to approve the final plat for Willow Creek Subdivision given the following contingency:

**Engineering Department Comments:**

1. Performance LOC

Mrs. McCollum seconded the motion.

**Final Vote:**

Chairman, Troy Wesson	Aye
City Council Member Seifert	Aye
Mike Potter	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	-----
Lewie Bates	Aye
Stephen Brooks	Aye
Tim Cowles	Aye

**Motion Carried**

(PUBLIC HEARING CLOSED)

**Site Plans**

**ACE Hardware**

Site Plan for 12,500 square foot facility

Location: East of Hughes Road, south of Carter Drive, and north of Portal Lane

Applicant: Jeff Weathers

Owner: Mary Margaret Lanier Long

**Applicant Comments:**

Kai Balew, EDT Engineering, presented the request.

**Staff Comments:**

Mr. Ivey informed the Commission that the subject property is located East of Hughes Road, south of Carter Drive and north of Portal Lane. The applicant is requesting site plan approval to build a 12,500 square foot ACE Hardware store with the required parking and landscaping. The applicant will also request the City to vacate a portion of the cul-de-sac along Carter Drive to allow for a better entrance radius.

Mr. Ivey provided the Commission with some background of the subject property. The property was rezoned from B1 to B2 in January of 2016 and then a certified plat, consolidating four lots into one, was approved at the October 20, 2016 meeting. The purpose of the plat was to allow for future development. Mr. Ivey concluded that staff recommends approval of the site plan with the contingencies listed in the staff report.

**Commission Comments:**

There were no comments from the Commission.

**Motion:**

Mr. Bates motioned to approve the ACE Hardware Site Plan subject to the following comments:

**Planning Department Comments:**

1. Include copy of recorded plat in submittal set
2. Submit paperwork for vacation of cul-de-sac
3. Include Autoturn sheet in submittal set
4. Provide the following General Notes on Site Plan Sheet:
  - 1) Express Density or intensity of use as Floor Area Ratio
5. Include Elevation Sheet in submittal set, elevations must be compliant with Section 4-7-7 of the Zoning Ordinance
  - 1) East and north elevations need a break up of the flat wall
6. Provide an outdoor lighting plan compliant with Section 5-22 of the Zoning Ordinance. Please include the following:
  - 1) Photometric drawing of the site
  - 2) Location of all external lighting on the site
  - 3) A diagram as to how each type of lighting fixture will be shielded & product specs or cut sheets for all outdoor lights

**Engineering Department Comments:**

1. Proof of submittal and payment required for ADEM permit
2. Provide erosion control plan phasing (installation requirements at pre-construction, during construction, post – construction)
3. Concerns about existing trees to remain – grading plan shows 1' - 2' of cut at existing trees – revise grading plan to address this concern
4. Grading at west entrance - pipe or force drainage along curb line (utilize valley gutter across entrance and flume thru island)
5. Grading at east entrance – cannot cut swale in cul-de-sac. Utilize valley gutter at end of curb/gutter section.
6. Provide the following information:
  - a. What is the 10 and 100 year elevation of the north swale and rain garden?
  - b. What is the 100 year elevation of the stormtech chambers – what effects of surcharge on the upstream pipe system?
  - c. What is the volume difference between the pre and post 1.14" rainfall event

Mr. Ryder seconded the motion.

**Final Vote:**

Chairman, Troy Wesson	Aye
City Council Member Seifert	Aye
Mike Potter	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	-----
Lewie Bates	Aye
Stephen Brooks	Aye
Tim Cowles	Aye

**Motion Carried**

**New Business**

Russ Roberts representing Goodwyn, Mills, & Cawood requested approval to file a "Scrivener's Affidavit" with the Limestone County Office of Probate to delete General Note 20 from the recorded plat for "The Village at Oakland Springs." This is in accordance with Section 4-6-7 of the Subdivision Regulations.

**Motion:**

Mr. Bates motioned to approve the Scrivener's Affidavit to delete General Note 20 from the recorded plat for The Village at Oakland Springs. Mr. Ryder seconded the motion.

**Final Vote:**

Chairman, Troy Wesson	Aye
City Council Member Seifert	Aye
Mike Potter	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	-----
Lewie Bates	Aye
Stephen Brooks	Aye
Tim Cowles	Aye
<b>Motion Carried</b>	

**ADJOURNMENT**

Mr. Wesson adjourned the meeting at 7:05 p.m.

City of Madison  
Planning Commission  
100 Hughes Road  
Madison, AL 35756

Re: Planning Commission Meeting  
Thursday, December 15, 2016  
Item #1 on the Agenda- Atkinson Property Rezoning

#### Commission Members

I would like to take this opportunity to address the Members of the Commission in reference to this application for rezoning. First I would like to address the guidelines that the Commission is directed to consider in rezoning applications:

##### Guideline #1

*New place type applications MUST BE consistent with the fiscal goals of the City and the ability of the service providers and infrastructure, including schools, to accommodate demand.*

The opinion of the residents that neighbor this property and the impact of the approval of this rezoning that again directly impacts the adjoining properties- know first-hand that this approval at this time is NOT consistent with the fiscal goals of the City, including the schools. Hardiman Road needs major improvements due to the flooding that has been an issue and continues to be an issue that is worsening under the burden of more construction.

Madison City Schools has addressed this board on every occasion that this application has come before this commission. Madison City Schools cannot accommodate the additional students in the Western Growth Area. Again, we have a staff recommendation to approve even though this criteria has not changed.

##### Guideline #2

*Expansions to what is shown for the SSF (Suburban Single-Family) place type are discouraged. There is currently a significant amount of this type of construction already developed in the West Side. "Not applicable because the applicant's residential plans qualified as MRC"*

If you review the layout included with this application, it is CLEAR that is nothing more than a Typical R3 type subdivision, which is clearly discouraged as there is such an overabundance of this type of construction, now it appears that only 2 results are apparent (1) You will willingly and knowingly be adding to the current overcrowding situation of the Madison City School system, especially Mill Creek Elementary, which is carrying the overload in real time. (2) The Commission willingly and knowingly will be adding to the over building in the Western Growth Area with this zoning and building type that does nothing but create a buyers' market as it absolutely lowers the value of every home in this area. This deprives current homeowners of their ability to create equity in their homes, therefore creating a financial burden to every homeowner currently living in the Madison City Limestone County area. Not only is this a burden to the homeowners currently living here, but it creates a burden to the City of Madison's operating budget. The burden to provide city services to this area for Police, Fire, Street Services, has to be considered, and a logical review of how the City can maintain these services required at such a fast developing pace.

We the community continue to address these guidelines and yet we continually see this project applicant bring this before the commission and it is very clear that the only thing that changes, is their inconsequential resubmittal wording that still quacks like a duck....because it is **INDEED A DUCK!**

At some point this becomes an insult to the property owners as well as the commission. The definition to the Cluster Zoning does not appear to be met, as described in the zoning. The only thing that appears to be a draw for the City is to gain control of a wetland that only is an asset in the words of the Planning Office "control will go to the city of this area". It just seems absurd that the Planning department would recommend "control of a swamp" being a larger asset to the City than the welfare of the Madison City School System, which really drives the economy and essential quality of living in our city. Again, we cannot see where the commission would agree that the gain of a wetland would gain more ground with Planning than;

**'THE FISCAL GOALS OF THE CITY AND THE ABILITY OF THE SERVICE PROVIDERS AND INFRASTRUCTURE, INCLUDING SCHOOLS, TO ACCOMMODATE DEMAND. "**

**OR AN EXPANSION TO THE AREA WHEN "THERE IS CURRENTLY A SIGNIFICANT AMOUNT OF THIS TYPE ALREADY DEVELOPED IN THE WEST SIDE".**

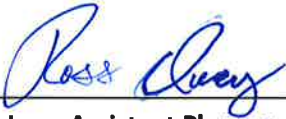
Community Residents living off Hardiman Road

**Minutes Approved**

A handwritten signature in blue ink, reading "Troy Wesson", written over a horizontal line.

**Troy Wesson, Vice Chairman**

**ATTEST:**

A handwritten signature in blue ink, reading "Ross Ivey", written over a horizontal line.

**Ross Ivey, Assistant Planner and Recording Secretary**